

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA )  
v. ) Case No. 19-cr-10335-DJC  
TANMAYA KABRA, )  
Defendant. )  
\_\_\_\_\_)

**GOVERNMENT'S OPPOSITION TO DEFENDANT TANMAYA KABRA'S  
EMERGENCY MOTION SEEKING AN ORDER REQUIRING THE BUREAU OF  
PRISONS TO ARRANGE A CALL BETWEEN MR. KABRA AND HIS ATTORNEYS**

When Tanmaya Kabra says “Jump,” the world is supposed to say “How high?”

Apparently, the United States Attorneys' Office and the Bureau of Prisons did not do so quickly enough to satisfy Mr. Kabra and so he filed the instant motion. Mr. Kabra's motion should be denied as unnecessary and moot.

Undersigned counsel received a phone call from Mr. Kabra's attorney on March 2, 2022 (Wednesday). During that conversation, Mr. Kabra's counsel informed the undersigned AUSA that he wished to speak with Mr. Kabra, but has been unable to do so for eight days.

Undersigned AUSA relayed that information to the Bureau of Prisons immediately. The following day, March 3, 2022 (Thursday), a representative of the BOP responded that a call would be arranged as soon as possible. Undersigned AUSA relayed that information to Mr. Kabra's counsel the same day.

On March 4, 2022 (Friday), without meaningful further engagement and approximately 48 hours after first raising the issue with the undersigned AUSA, Kabra’s counsel filed the instant “emergency” motion. This motion is precipitous and unnecessary. A phone call will be

arranged between Kabra and his counsel, as has already been promised to him by the BOP, and he will have regular access to counsel, as he has had throughout the period of his incarceration.

What he is not entitled to—but which he demands—is access to telephone calls and counsel at his beck-and-call. *See Bellamy v. McMickens*, 692 F.Supp. 205, 214 (S.D.N.Y. 1988) (prisoners “have no right to unlimited phone calls”).

Mr. Kabra’s “emergency” motion should be denied.

Respectfully submitted,

UNITED STATES OF AMERICA,

By its attorney,

RACHAEL S. ROLLINS  
United States Attorney

/s/ Christopher Looney  
Christopher Looney  
Assistant U.S. Attorney  
1 Courthouse Way, Suite 9200  
Boston, MA 02210  
617.748.3100

Dated: March 7, 2022

**CERTIFICATE OF SERVICE**

Undersigned counsel certifies that this document filed through the ECF system will be sent electronically to the registered participants as identified on the Notice of Electronic Filing (NEF).

*/s/ Christopher Looney* \_\_\_\_\_

Christopher Looney  
Assistant United States Attorney

Dated: March 7, 2022